REMARKS

Claims 49-92 are pending in the present application.

I. FORMAL MATTERS

A. Formal Drawings

Applicant notes with appreciation the Examiner's indication that the formal drawings filed on December 13, 2004 are acceptable.

B. Information Disclosure Statements

Applicant notes with appreciation the Examiner's inclusion in the Office Action a copy of the PTO SB-08 Form that was submitted in the Information Disclosure Statements filed on July 7, 2005. Each of the references listed therein is initialed by the Examiner, thereby indicating that these references were considered by the Examiner.

C. Priority Documents

The Office Action does not acknowledgement the claim to priority and does not

indicate that certified copies of the priority documents were received by the international

bureau. Applicant respectfully requests the Examiner to do so.

II. OBJECTIONS TO THE CLAIMS

The Examiner has objected to claim 49 because a superfluous period is present

on line 6. Because this informality is minor, Applicant respectfully requests the Examiner

to delete this period on line 6 of claim 49 by Examiner's amendment.

III. PRIOR ART REJECTION

Claims 49-92 are rejected under 35 U.S.C. § 102(e) as being anticipated by

European Patent No. 00/67514 (Honkala). This rejection is traversed.

Contrary to Honkala, the present invention relates to a method of assisting at least

one handover for a mobile device in a mobile communications environment with a plurality

of access points. Independent claim 49, on which claims 50-69 depend, includes the

following steps: determining an operational context as a profile of applications being

executed in the mobile device before or at the time of pro-active deployment of the

handover decision mechanism; proactively deploying a handover decision mechanism in

relation to the at least one handover and according to an operational context into a

subsystem of the mobile communication environment executing the handover; and

determining at least one new access point for the mobile device using the deployed

handover decision mechanism.

Independent claim 70, on which claims 71-92 depend, is directed to an apparatus

that includes an application profile unit that is adapted to determine an operational context

as a profile of applications being executed in the mobile device before or at the time of pro-

active deployment of the handover decision mechanism, and a pro-active deployment unit

adapted to pro-actively deploying a handover decision mechanism in relation to the at least

one handover and according to an operational context into a subsystem of the mobile

communication environment executing the handover.

In contrast, Honkala describes a method of handing-off a mobile station from an

internal cellular communication network to an external cellular communications network

having a network controller. The network comprises allocating at least one cell of the

internal cellular network as boarder cell, detecting the movement of the mobile station into

the boarder cell, generating an advance hand-off request in accordance with the prediction

algorithm that uses a set of predetermined parameters associated with the mobile station

and determining when a hand-off is likely to be required, and in response to the advance

hand-off request setting up a communication channel in the external cellular

communication network for use by the mobile station when a actual hand-off request is

made (see page 8, lines 3 – 18). Therefore, when a handoff request is issued by the

mobile station, hand-off may be implemented in accordance with a communication channel

that has been set up by the network controller of the external network responsive to the

hand-off advance request. Thus, call setup to the surrounding system may be started at a

time before the actual demand for hand-over (see page 10, lines 11-17).

It appears that the Examiner does not appreciate that a request for a hand-off is

significantly different than deployment of a handover decision mechanism. Further, the

Examiner does not mention which section of Honkala teaches the determination of an

operational context at a time of proactive deployment of a handover decision mechanism.

Therefore, Applicant submits that Honkala does not teach or suggest each and

every feature of claims 49-92. Therefore, Applicant submits that claims 49-92 are not

anticipated by Honkala. Thus, Applicant submits that the rejection of claims 49-92 under

35 U.S.C. § 102(e) is improper and should be withdrawn.

Accordingly, Applicant submits that the present application is now in condition for

allowance. If the Examiner believes that any outstanding issues can be resolved through a

telephone interview, Applicant respectfully requests the Examiner to contact the

undersigned at the telephone number provided below.

Applicant believes that no additional fees are due for the subject application.

However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for

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any excess fee paid, you are hereby authorized and requested to charge Deposit Account

No. 04-1105.

In view of the above amendment, applicant believes the pending application is in

condition for allowance.

Dated: <u>July 7, 2006</u>   Respectfully submitted,
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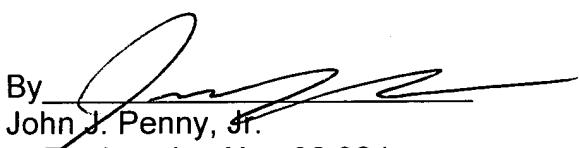
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